

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

CHANA SCHWARTZ,

Plaintiff,

- against -

MORGAN STANLEY DW, INC.,

Defendant.

MEMORANDUM

OPINION AND ORDER

06 Civ. 4906 (DAB) (RLE)

RONALD L. ELLIS, United States Magistrate Judge:

Following a conference with the Court on June 18, 2009, and having considered the written submissions of the Parties,

IT IS HEREBY ORDERED that Plaintiff Schwartz's Motion to Compel Defendant Morgan Stanley to produce certain discovery (Doc. No. 36) is **DENIED**.

The Court finds that the vast majority of Schwartz's interrogatories and formal and informal document requests are overly broad and irrelevant to the discrimination and retaliation claims and defenses asserted in the instant litigation. Schwartz has failed to demonstrate which other employees are similarly situated to her such that discovery concerning those individuals would be relevant, but has sought broad discovery of other employees. Further, Schwartz's discovery requests are not appropriately limited in temporal or geographic scope. This general finding notwithstanding, the Court finds that Schwartz's First Document Request, Request No. 9, as limited by the temporal scope proposed by Defendant and limited to the branch where Schwartz was employed is discoverable. Secondly, Schwartz's Second Document Request, Request No. 6, seeks a category of documents that the Court finds is discoverable. According to Defendant's opposition papers, it has apparently agreed to production, to the extent that any such

documents exist.

IT IS FURTHER ORDERED that the Parties comply with the following amended deadlines:

- 1) Expert discovery shall conclude on or before **July 31, 2009**;
- 2) The Joint Final Pretrial Order shall be filed on or before **August 31, 2009**.

SO ORDERED this 22nd day of June 2009
New York, New York



The Honorable Ronald L. Ellis
United States Magistrate Judge